

REMARKS

1. Present Status of Patent Application

In response to the non-final Office Action dated January 25, 2008, Applicant respectfully requests reconsideration based on the following amendments and remarks. Claims 29, 36, 39, 46, and 49-58 have been amended. Claims 29 and 35-58 remain pending in the present application. Applicant respectfully submits that the claims as presented are in condition for allowance.

2. Summary of Telephone Interview with Examiner

Applicant first wishes to express his sincere appreciation for the time that Examiner Hoang spent with Applicant's Attorney, Mr. Charles W. Griggers, during a telephone discussion on March 24, 2008 regarding the outstanding Office Action. During the discussion, proposed amendments were discussed regarding the changing of designations of an email message by a user. A consensus was not reached regarding the merits of the amendments. Applicant respectfully requests the Examiner to consider the present response and the amendments and remarks contained herein.

3. Outstanding Office Action

A non-final office action was issued December 5, 2007 for the present application. Subsequently, a new non-final office action was issued January 25, 2007 for the present application. However, in review of the non-final office action issued January 25, 2007, it appears that the subject matter of the office action is intended for a different patent application and that the office action has been misidentified as pertaining to the present application. Therefore, in response to the latest office action issued January 25, 2007, the subject matter of the earlier office action issued December 5, 2007 is addressed.

4. Response to Rejection of Claims under 35 U.S.C. § 101

Claims 49-58 have been rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. The claims have been amended to recite a

computer readable storage medium, as suggested by the Examiner. As a result, withdrawal of the rejections of claims 49-58 is respectfully requested.

5. Response to Rejection of Claims Under 35 U.S.C. § 103(a)

Claims 39-42, 48-52, and 58 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Dinkin* (U.S. Patent Publication No. 2005/0050150) in view of *Goldman* (U.S. Patent Application Publication No. 2003/0233418). Claims 29, 35, 38, 43-45, and 53-55 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Dinkin* in view of *Goldman* in view of *Gordon* (U.S. Patent No. 6,732,157). Claims 36, 37, 46, 47, 56, and 57 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Dinkin* in view of *Goldman* in view of *Gordon* in further view of *Gross* (U.S. Patent No. 6,782,510).

a. Claim 29

As provided in independent claim 29, Applicant claims:

An email filtering system comprising:

an electronic messaging computer for viewing electronic messages addressed to a user, the electronic messaging computer having a single graphical user interface control to provide, to the user, options for configuring each of a plurality of detection mechanisms that detect undesired electronic messages from incoming electronic messages retrieved for the user, the single graphical user interface control enabling the user to activate and deactivate each of the plurality of detection mechanisms independently of one another in order to provide a desired level of protection from undesired electronic messages, wherein the plurality of detection mechanisms comprise at least three different detection mechanisms used to detect undesired electronic messages, wherein the plurality of detection mechanisms include:

a first detection mechanism that detects an email message if the sender of the email message is not on a list of senders authorized by the user;

a second detection mechanism that detects an email message if the sender of the email is on a list of unauthorized senders;

a third detection mechanism that detects an email message if the email message contains a textual content string that is on a list of unauthorized textual content strings; and

a fourth detection mechanism that is configured to:

analyze the overall content of previous email messages that have been detected;

compare the content of an email message to the overall content and assign a score reflective of a level of similarity for the email message; and

detect the email message if the score is higher than a designated score,

wherein the electronic messaging computer is configured to:

automatically designate an email message as an undesired email message after the email message is detected by one of the plurality of detection mechanisms;

enable the user to reclassify an email message by changing a prior designation of the email message from an undesired email message to a desired email message classification; and

in response to changing the designation of the email message, prompt the user to modify settings of the particular detection mechanism that caused the email message to be designated as an undesired email message so that the email message is not to be detected by the particular detection mechanism after the settings are changed.

(Emphasis added).

Applicant respectfully submits that independent claim 29 is allowable for at least the reason that *Dinkin* in view of *Goldman* in further view of *Gordon* does not disclose, teach, or suggest at least to “wherein the electronic messaging computer is configured to: automatically designate an email message as an undesired email message after the email message is detected by one of the plurality of detection mechanisms; enable the user to reclassify an email message by changing a prior designation of the email message from an undesired email message to a desired email message classification; and in response to changing the designation of the email message, prompt the user to modify settings of the particular detection mechanism that caused the email message to be designated as an undesired email message so that the email message is not to be detected by the particular detection mechanism after the settings are changed,” as emphasized above.

For example, *Dinkin* describes a filter for filtering electronic mail messages and does not address changing a designation of an undesired email message by a user or the causing of prompts to adjust settings associated with a detection mechanism. To illustrate, paragraph 0095 of *Dinkin* describes that patterns in an image from an email

message may be used to categorize the email message as legitimate or not legitimate. Paragraphs 0097-0098 of *Dinkin* disclose that a filter used to filter email messages may be trained to improve performance of the filter. Paragraph 0121 of *Dinkin* describes that a filter characteristic may be adjusted. Paragraph 0111 of *Dinkin* describes that a sender of a rejected email message may be automatically added to a blacklist of senders. Therefore, *Dinkin* fails to teach or suggest all of the claimed features, such as “in response to changing the designation of the email message, prompt the user to modify settings of the particular detection mechanism that caused the email message to be designated as an undesired email message so that the email message is not to be detected by the particular detection mechanism after the settings are changed,” as recited in claim 1.

Further, *Goldman* describes removal of mail from an unauthorized sender, where a sender's address is categorized as authorized, unauthorized, or unconfirmed. Accordingly, *Goldman* does not address changing a designation of an undesired email message by a user or the causing of prompts to adjust settings associated with a detection mechanism.

In addition, *Gordon* describes that a “system, method and computer program product are provided for filtering unwanted electronic mail messages. After receiving electronic mail messages, the electronic mail messages that are unwanted are filtered utilizing a combination of techniques including: compound filters, paragraph hashing, and Bayes rules. The electronic mail messages that are filtered as being unwanted are then categorized.” See Abstract. Accordingly, *Gordon* does not address changing a designation of an undesired email message by a user or the causing of prompts to adjust settings associated with a detection mechanism.

For at least this reason, *Dinkin* in view of *Goldman* in further view of *Gordon* does not disclose, teach, or suggest at least to “wherein the electronic messaging computer is configured to: automatically designate an email message as an undesired email message after the email message is detected by one of the plurality of detection mechanisms; enable the user to reclassify an email message by changing a prior designation of the email message from an undesired email message to a desired email message classification; and in response to changing the designation of the email message, prompt the user to modify settings of the particular detection mechanism that

caused the email message to be designated as an undesired email message so that the email message is not to be detected by the particular detection mechanism after the settings are changed,” as recited in claim 29.

As a result, a *prima facie* case of obviousness has not been established, and claim 29 is patentable over the proposed combination of *Dinkin* in view of *Goldman* in further view of *Gordon*. Therefore, withdrawal of the rejection of claim 29 is respectfully requested.

b. Claims 35-38

Claim 29 is allowable over the cited art of record for at least the reasons given above. Since claims 35 and 38 depend from and include the features of claim 29 and recite additional features, claims 35 and 38 are allowable as a matter of law over the cited art of record.

Gross is legally inadequate to remedy the deficiencies of the *Dinkin*, *Goldman*, and *Gordon* references with respect to independent claim 29. Since claims 36-37 depend from and include the features of claim 29 and recite additional features, claims 36-37 are allowable as a matter of law over the cited art of record.

c. Claim 39

As provided in independent claim 39, Applicant claims:

A method for providing electronic messaging, comprising:
providing a plurality of detection approaches for detecting undesired email messages;

providing access to each of the detection approaches from a single graphical interface control, the single graphical user interface control enabling the user to activate and deactivate each of the plurality of detection mechanisms independently of one another in order to provide a desired level of protection from undesired electronic messages, wherein the plurality of detection mechanisms comprise at least three different detection mechanisms used to detect undesired electronic messages;

automatically designating an email message as an undesired email message after the email message is detected by one of the plurality of detection mechanisms;

enabling the user to reclassify an email message by changing a prior designation of the email message from an undesired email message to a desired email message classification; and

in response to changing the designation of the email message, prompting the user to modify settings of the particular detection mechanism that caused the email message to be designated as an undesired email message so that the email message is not to be detected by the particular detection mechanism after the settings are changed.

(Emphasis added).

Applicant respectfully submits that independent claim 39 is allowable for at least the reason that *Dinkin* in view of *Goldman* does not disclose, teach, or suggest at least “automatically designating an email message as an undesired email message after the email message is detected by one of the plurality of detection mechanisms; enabling the user to reclassify an email message by changing a prior designation of the email message from an undesired email message to a desired email message classification; and in response to changing the designation of the email message, prompting the user to modify settings of the particular detection mechanism that caused the email message to be designated as an undesired email message so that the email message is not to be detected by the particular detection mechanism after the settings are changed,” as emphasized above.

For example, *Dinkin* describes a filter for filtering electronic mail messages and does not address changing a designation of an undesired email message by a user or the causing of prompts to adjust settings associated with a detection mechanism. To illustrate, paragraph 0095 of *Dinkin* describes that patterns in an image from an email message may be used to categorize the email message as legitimate or not legitimate. Paragraphs 0097-0098 of *Dinkin* disclose that a filter used to filter email messages may be trained to improve performance of the filter. Paragraph 0121 of *Dinkin* describes that a filter characteristic may be adjusted. Paragraph 0111 of *Dinkin* describes that a sender of a rejected email message may be automatically added to a blacklist of senders. Therefore, *Dinkin* fails to teach or suggest all of the claimed features, such as “automatically designating an email message as an undesired email message after the email message is detected by one of the plurality of detection mechanisms; enabling the user to reclassify an email message by changing a prior designation of the email message from an undesired email message to a desired email message classification;

and in response to changing the designation of the email message, prompting the user to modify settings of the particular detection mechanism that caused the email message to be designated as an undesired email message so that the email message is not to be detected by the particular detection mechanism after the settings are changed,” as recited in claim 39.

Further, *Goldman* describes removal of mail from an unauthorized sender, where a sender’s address is categorized as authorized, unauthorized, or unconfirmed. Accordingly, *Goldman* does not address changing a designation of an undesired email message by a user or the causing of prompts to adjust settings associated with a detection mechanism.

For at least this reason, *Dinkin* in view of *Goldman* does not disclose, teach, or suggest at least “automatically designating an email message as an undesired email message after the email message is detected by one of the plurality of detection mechanisms; enabling the user to reclassify an email message by changing a prior designation of the email message from an undesired email message to a desired email message classification; and in response to changing the designation of the email message, prompting the user to modify settings of the particular detection mechanism that caused the email message to be designated as an undesired email message so that the email message is not to be detected by the particular detection mechanism after the settings are changed,” as recited in claim 39.

As a result, a *prima facie* case of obviousness has not been established, and claim 39 is patentable over the proposed combination of *Dinkin* in view of *Goldman*. Therefore, withdrawal of the rejection of claim 39 is respectfully requested.

d. Claims 40-48

Claim 39 is allowable over the cited art of record for at least the reasons given above. Since claims 40-42 and 48 depend from and include the features of claim 39 and recite additional features, claims 40-42 and 48 are allowable as a matter of law over the cited art of record.

Gordon is legally inadequate to remedy the deficiencies of the *Dinkin* and *Goldman* references with respect to independent claim 39. Since claims 43-45 depend from and

include the features of claim 39 and recite additional features, claims 43-45 are allowable as a matter of law over the cited art of record.

Gross is legally inadequate to remedy the deficiencies of the *Dinkin*, *Goldman*, and Gross references with respect to independent claim 39. Since claims 46-47 depend from and include the features of claim 39 and recite additional features, claims 46-47 are allowable as a matter of law over the cited art of record.

e. Claim 49

As provided in independent claim 49, Applicant claims:

A computer readable storage medium having stored thereon computer program codes that when executed by a computer cause the computer to perform:

providing a plurality of detection approaches for detecting undesired email messages;

providing access to each of the detection approaches from a single graphical interface control, the single graphical user interface control enabling the user to activate and deactivate each of the plurality of detection mechanisms independently of one another in order to provide a desired level of protection from undesired electronic messages, wherein the plurality of detection mechanisms comprise at least three different detection mechanisms used to detect undesired electronic messages;

automatically designating an email message as an undesired email message after the email message is detected by one of the plurality of detection mechanisms;

enabling the user to reclassify an email message by changing a prior designation of the email message from an undesired email message to a desired email message classification; and

in response to changing the designation of the email message, prompting the user to modify settings of the particular detection mechanism that caused the email message to be designated as an undesired email message so that the email message is not to be detected by the particular detection mechanism after the settings are changed.

(Emphasis added).

Applicant respectfully submits that independent claim 49 is allowable for at least the reason that *Dinkin* in view of *Goldman* does not disclose, teach, or suggest at least “automatically designating an email message as an undesired email message after the

email message is detected by one of the plurality of detection mechanisms; enabling the user to reclassify an email message by changing a prior designation of the email message from an undesired email message to a desired email message classification; and in response to changing the designation of the email message, prompting the user to modify settings of the particular detection mechanism that caused the email message to be designated as an undesired email message so that the email message is not to be detected by the particular detection mechanism after the settings are changed,” as emphasized above.

For example, *Dinkin* describes a filter for filtering electronic mail messages and does not address changing a designation of an undesired email message by a user or the causing of prompts to adjust settings associated with a detection mechanism. To illustrate, paragraph 0095 of *Dinkin* describes that patterns in an image from an email message may be used to categorize the email message as legitimate or not legitimate. Paragraphs 0097-0098 of *Dinkin* disclose that a filter used to filter email messages may be trained to improve performance of the filter. Paragraph 0121 of *Dinkin* describes that a filter characteristic may be adjusted. Paragraph 0111 of *Dinkin* describes that a sender of a rejected email message may be automatically added to a blacklist of senders. Therefore, *Dinkin* fails to teach or suggest all of the claimed features, such as “automatically designating an email message as an undesired email message after the email message is detected by one of the plurality of detection mechanisms; enabling the user to reclassify an email message by changing a prior designation of the email message from an undesired email message to a desired email message classification; and in response to changing the designation of the email message, prompting the user to modify settings of the particular detection mechanism that caused the email message to be designated as an undesired email message so that the email message is not to be detected by the particular detection mechanism after the settings are changed,” as recited in claim 49.

Further, *Goldman* describes removal of mail from an unauthorized sender, where a sender’s address is categorized as authorized, unauthorized, or unconfirmed. Accordingly, *Goldman* does not address changing a designation of an undesired email

message by a user or the causing of prompts to adjust settings associated with a detection mechanism.

For at least this reason, *Dinkin* in view of *Goldman* does not disclose, teach, or suggest at least “automatically designating an email message as an undesired email message after the email message is detected by one of the plurality of detection mechanisms; enabling the user to reclassify an email message by changing a prior designation of the email message from an undesired email message to a desired email message classification; and in response to changing the designation of the email message, prompting the user to modify settings of the particular detection mechanism that caused the email message to be designated as an undesired email message so that the email message is not to be detected by the particular detection mechanism after the settings are changed,” as recited in claim 49.

As a result, a *prima facie* case of obviousness has not been established, and claim 49 is patentable over the proposed combination of *Dinkin* in view of *Goldman*. Therefore, withdrawal of the rejection of claim 49 is respectfully requested.

f. Claims 50-58

Claim 49 is allowable over the cited art of record for at least the reasons given above. Since claims 50-52 and 58 depend from and include the features of claim 49 and recite additional features, claims 50-52 and 58 are allowable as a matter of law over the cited art of record.

Gordon is legally inadequate to remedy the deficiencies of the *Dinkin* and *Goldman* references with respect to independent claim 49. Since claims 53-55 depend from and include the features of claim 49 and recite additional features, claims 53-55 are allowable as a matter of law over the cited art of record.

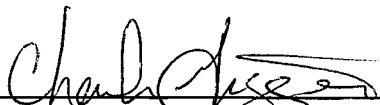
Gross is legally inadequate to remedy the deficiencies of the *Dinkin*, *Goldman*, and *Gross* references with respect to independent claim 49. Since claims 56-57 depend from and include the features of claim 49 and recite additional features, claims 56-57 are allowable as a matter of law over the cited art of record.

CONCLUSION

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for at least the specific and particular reason that the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

For at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,



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